ORDER FOR SUPPLIES OR SERVICES

(Contractor must submit four copies of invoice.)

Form Approved OMB No. 0704-0187 Expires Jun 30, 1997 PAGE 1 OF

Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters Services, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302, and to the Office of Management and Budget, Paperwork Reduction Project (0704-0187), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR FORM TO EITHER OF THESE ADDRESSES. SEND YOUR COMPLETED FORM TO THE PROCUREMENT OFFICIAL IDENTIFIED IN ITEM 6. 3. DATE OF ORDER 1. CONTRACT/PURCH ORDER NO. 2. DELIVERY ORDER NO. 4. REQUISITION/PURCH REQUEST NO. 5. PRIORITY (YYMMMDD) SPM405-04-M-0364 0010597492 2004 SEP 02 DOA1 6. ISSUED BY CODE 7. ADMINISTERED BY (If other than 6) SP0400 CODE S5111A 8. DELIVERY FOB Defense Supply Center Richmond ATTN: DSCR Procurement DCMA SOUTHERN VIRGINIA 757 788 4854 DEST 8000 Jefferson Davis Highway 190 BERNARD ROAD BLDG 117 Richmond, Virginia 23297-FORT MONROE VA 23651 OTHER Local Administrator: PARREG6 (804)279-2366 / FAX: (804)279-2420 E-mail: jean.l.root@dla.mil (See Schedule if other) CRITICALITY: B 1. MARK IF BUSINESS 9. CONTRACTOR CODE FACILITY CODE 59686 10. DELIVER TO FOB POINT BY(Date) (YYMMMDD) X 2005 JAN 30 SMALL 12. DISCOUNT TERMS SMALL DISAD-VANTAGED NEWGARD INDUSTRIES, INC. NAME AND ADDRESS 4030 STITT STREET NET 30 days WOMEN-OWNED MONROE NC 28110-8895 13. MAIL INVOICES TO See Block 15 14. SHIP TO 15. PAYMENT WILL BE MADE BY CODE **SL4701** MARK ALL See Schedule - Do Not Ship to Address in Block 6 DFAS BVDP (SL4701) PACKAGES AND P.O. BOX 369031 PAPERS WITH COLUMBUS OH 43236-9031 CONTRACT OR ORDER NUMBER DELIVERY 16. This delivery order is issued on another Government agency or in accordance with and subject to terms and conditions of above numbered contract TYPE offer dated 2004 AUG 17 and furnish the following on terms specified herein. OF PURCHASE X ACCEPTANCE. THE CONTRACTOR HEREBY ACCEPTS THE OFFER REPRESENTED BY THE NUMBERED PURCHASE ORDER AS IT MAY PREVIOUSLY HAVE BEEN OR IS NOW ORDEF MODIFIED, SUBJECT TO ALL OF THE TERMS AND CONDITIONS SET FORTH, AND AGREES TO PERFORM THE SAME TYPED NAME AND TITLE NAME OF CONTRACTOR SIGNATURE DATE SIGNED (YYMMMDD) If this box is marked, supplier must sign Acceptance and return the following number of copies: 17. ACCOUNTING AND APPROPRIATION DATA/LOCAL USE Other: 97X 4930 5CBX 001 2630 S33189 QUANTITY ORDERED/ 18. ITEM NO. 19. 21. UNIT UNIT PRICE SCHEDULE OF SUPPLIES/SERVICE AMOUNT ACCEPTED* TOTAL: 17 24. UNITED STATES OF AMERICA Patricia McMahon PAROFC2 8993.00 If quantity accepted by the Government is same as quantity ordered, indicate by X. If different, enter actual quantity accepted below quantity ordered and 25. TOTAL 29. tion LIN Makon FRACTING/ORDERING DIFFERENCE OFFICER 26. QUANTITY IN COLUMN 20 HAS BEEN CHER NO. 30. ACCEPTED, AND CONFORMS TO THE CONTRACT EXCEPT AS NOTED INSPECTED RECEIVED INITIALS 33. AMOUNT VERIFIED CORRECT FOR 32. PAID BY PARTIAL FINAL 34. CHECK NUMBER SIGNATURE OF AUTHORIZED GOVERNMENT REPRESENTATIVE DATE 31. PAYMENT 36. I certify this account is correct and proper for payment COMPLETE 35. BILL OF LADING NO. PARTIAL SIGNATURE AND TITLE OF CERTIFYING OFFICER DATE FINAL 37.RECEIVED AT | 38. RECEIVED BY (Print) 40.TOTAL CONTAINERS 41. S/R ACCOUNT NUMBER 42. S/R VOUCHER NO 39. DATE RECEIVED

(YYMMMDD)

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FOB DESTINATION

PLACE OF INSPECTION SAME AS BLOCK 9 PAGE 1

INSPECTION OFFICE SAME AS BLOCK 7 PAGE 1

DSCR CONTACT POINT:

JEAN ROOT

PH; 804-279-2366 FAX: 804-279-2420

EMAIL: jean.l.root.ctr@dla.mil

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SECTION B

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PR 0010597492

NSN 1680-00-106-8723

ITEM DESCRIPTION:

SEAT, AIRCRAFT
ORO MFG. CO. CAGE 76912
P/N ACA3805-17
NEWGARD INDUSTRIES INC. CAGE 59686
P/N 3.5WC1085-17

MARK IAW MIL-STD-130K, DATED 15 JAN 00. CONFIGURATION CONTROL APPLIES SEE CLAUSE 52.246-9G36 (SECTION I). TECH DATA PACKAGE AVAILABILITY:

DSCR DOES NOT CURRENTLY HAVE AN APPROVED TECHNICAL DATA PACKAGE AVAILABLE FOR THIS NSN. PLEASE DO NOT SUBMIT REQUEST TO DSCR-VABA.

CRITICAL APPLICATION ITEM

NEWGARD INDUSTRIES, INC. (59686) P/N 3.5WC1085-17 ORO MANUFACTURING COMPANY (76912) P/N ACA3805-17 SIKORSKY AIRCRAFT CORPORATION (78286) P/N 65503-00014-117

I/A/W QAP QAP-003
REFNO
AMEND NR 00 DTD 97 JUL 01
TYPE NUMBER:

<u>ITEM PR PRLI QUANTITY UNIT UNIT PRICE AMOUNT</u>

0001 0010597492 0001 2 EA \$529.00000 \$1058.00

QTY VARIANCE: PLUS 0% MINUS 0%

INSPECTION POINT: ORIGIN ACCEPTANCE POINT: ORIGIN

PREP FOR DELIVERY

PKGING DATA - MIL-STD-2073-1D, 15 DEC 1999

QUP = 001: PRES MTHD = 10: CLNG/DRY = 1: PRESV MAT = 00:

WRAP MAT = XX: CUSH/DUNN MAT = JC: CUSH/DUNN THKNESS = X:

UNIT CONT = D3: OPI = O:

INTRMDTE CONT = XX: INTRMDTE CONT QTY = AAA:

PACK CODE = U:

PAGE

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SECTION B

MARKING SHALL BE IN ACCORDANCE WITH MIL-STD-129.

SPECIAL MARKING CODE: 00 - No special marking

PALLETIZATION SHALL BE IN ACCORDANCE WITH MD00100452 REV A

DATED 4090

For all shipments of packaged materiel to the government, which includes either depot (DLAdirect) or DVD (customer-direct) shipments, both DoD linear and 2-D bar code markings are required on military shipping labels in accordance with MIL-STD-129, revision P, dated December 15, 2002. 2-D bar coding shall be in accordance with ISO/IEC 15438, ISO/IEC 15434 (ANSI MH10.8.3) and DoD 4500.9-R. MSL linear (code 3 of 9 or code 39) bar coding shall be in accordance with ISO/IEC 16388. MSL label stock quality shall meet MIL-PRF-61002. MSL bar code print quality shall meet ANSI MH10.8-2000 or ANSI X3.182-1990 (R2000) for applicable 2-D and/or linear bar codes. All DVD shipments shall meet additional linear bar coding requirements in DLAD 52.211-9008. When the contract/order omits any data element required to be bar-coded, the field shall be zero-filled. These requirements do not apply to delivery orders when the basic contract has not been modified to require MIL-STD-129P. If there are inconsistencies between the schedule and MIL-STD-129P, the schedule takes precedence.

DELIVER FOB: DESTINATION BY: 2005 JAN 30

PARCEL POST ADDRESS:

W62G2T XU DEF DIST DEPOT SAN JOAQUIN TRANSPORTATION OFFICER PO BOX 960001 STOCKTON CA 95296-0130 US

FREIGHT SHIPPING ADDRESS:

W62G2T XU DEF DIST DEPOT SAN JOAQUIN 25600 S CHRISMAN ROAD REC WHSE 10 PH 209 839 4307 TRACY CA 95304-5000 US

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SECTION B

NON-MILSTRIP PROJ

<u>ITEM</u> \underline{PR} PRLI QUANTITY UNIT UNIT PRICE AMOUNT

15 EA <u>\$529.00000</u> <u>\$7935.00</u> 0002 0010597492 0002

> QTY VARIANCE: PLUS 0% MINUS 0%

INSPECTION POINT: ORIGIN ACCEPTANCE POINT: ORIGIN

PREP FOR DELIVERY

PKGING DATA - MIL-STD-2073-1D, 15 DEC 1999 MIL-STD-2073 PACKAGING DATA SAME AS PRIOR LINE

DELIVER FOB: DESTINATION BY: 2005 JAN 30

PARCEL POST/FREIGHT ADDRESS:

W25G1U XU TRANSPORTATION OFFICER DDSP NEW CUMBERLAND FACILITY BUILDING MISSION DOOR 113 134 NEW CUMBERLAND PA 17070-5001 US

NON-MILSTRIP PROJ

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SECTION B

B13F01 13-1A-9G NOTIFICATION OF REJECTION OF UNILATERAL AWARD (MAR 2001) DSCR

Unless this is a bilateral award, notice of rejection as described herein is required. The Government's offer to purchase, as evidenced by this order, is made on the basis of your quotation. Although you are not legally obligated to perform on a unilateral purchase order, you should promptly notify the DSCR contract administrator in writing if you do not intend to perform this order by the specified delivery date. Prompt notification means as soon after receiving notice of award as practicable given the circumstances.
FAILURE TO PROVIDE PROMPT NOTICE WILL ADVERSELY AFFECT YOUR PAST PERFORMANCE AUTOMATED BEST VALUE SYSTEM SCORE IF THIS ORDER IS LATER CANCELLED AT OTHER THAN THE GOVERNMENT'S REQUEST.

B47F01 0-47A-9G DSCR TRANSPORTATION NOTICE (JAN 2003) DSCR

If this is a DSCR administered award (see Block 7 of the DD Form 1155), you should contact the DSCR Transportation Office via FAX 804-279-5157 for shipping instructions, clearances, and freight addresses. For urgent requirements, you may call 804-279-4589. You must provide the weight, cube, number of pieces, and shipping location when you call or FAX.

47-3A-9G DSCR FORM P-41 FREIGHT SHIPPING INFORMATION (OCT 1999)

Freight shipping addresses and scheduling instructions, if applicable, are available in the DSCR Master Solicitation, Section 3. http://www.dscr.dla.mil/procurement/mastersol.htm.

D11C03 52.211-9010 MILITARY SHIPPING LABEL (MSL) REQUIREMENTS - MIL-STD-129P (MAR 2004) DLAD

52.211-9G73 PACKAGING AND MARKING REQUIREMENTS (JUL 2002) DSCR

- (a) Unless stated otherwise, commercial packaging in accordance with ${\tt ASTM-D-3951}$ is required for CONUS shipments from the contractor directly to the customer. Commercial packaging and marking is not sufficient for vendor shipments requiring movement through the Defense Transportation System (also referred to as the Military Distribution System or DLA Depot) as the shipment could ultimately be moved via Military Air.
- (b) Higher level packaging in accordance with ${\tt MIL-STD-2073}$ is mandatory for all shipments that meet the

Movement through the Defense Transportation System including shipments to a Military Distribution facility or depot.

OCONUS shipments FMS shipments

Hazardous material, as cited in the AID or in the Quality Requirements Matrix.

- (c) Materials not considered as HAZMAT for CONUS or OCONUS commercial air shipments may be considered HAZMAT for MILAIR shipments OCONUS. As such, contractors/shippers shall ensure that material meeting HAZMAT definitions in DLAI 4145.3, Preparing Hazardous Materials for Military Air Shipment, is packaged in accordance with that instruction when the consignee is OCONUS and the shipment will be moved through the Defense Transportation System. DLAI 4145.3 is available on the internet at: www.dscc.dla.mil/downloads/packaging/dlai4145_3.pdf.
- (d) All items shall be marked in accordance with MIL-STD-129. Hazardous items and shelf life items, as cited in the AID or in the Quality Requirements Matrix, shall be marked in accordance with MIL-STD-129 and the appropriate clauses cited in the appendix to the matrix and the contract. The contractor is required to package material in accordance with Quantity Unit Pack (QUP), specified in MIL-STD-2073 and the Unit of Issue (UI), specified in each delivery order. A packing slip shall be located in a plastic pouch on the outside of the package. For HAZMAT destined OCONUS, a hard copy of the Material Safety Data Sheet (MSDS) must also be included.

(e) In the event of deployments, this clause may be invoked when shipments originally destined for a CONUS location are diverted to OCONUS destinations thereby necessitating movement of the material through the Defense Transportation System. In such an event, contractors will be notified by the Contracting Officer and an equitable adjustment will be made in the contract price as deemed appropriate.

NOTE: Applicable to negotiated solicitations. Offers that do not comply with the packaging and marking requirements as specified in Section D of this solicitation may be subject to rejection as being technically unacceptable.

SECTION E

E46A17 52.246-15 CERTIFICATE OF CONFORMANCE (APR 1984) FAR

E46B01 252.246-7000 MATERIAL INSPECTION AND RECEIVING REPORT (MAR 2003) DFARS

52.246-9G16 INSPECTION AND ACCEPTANCE POINT (FEB 1996) DSCR

Inspection point: [] Destination [x] Origin Acceptance point: [] Destination [x] Origin

[] Inspection and Acceptance will take place at:

Origin - First Shipment Only Destination - Subsequent Shipments

SECTION F

F11A06 52.211-16 VARIATION IN QUANTITY (APR 1984)

- (b) The permissible variation shall be limited to:
- 0 % (Percent) Increase 0 % (Percent) Decrease

This increase or decrease shall apply to the quantity at the line item level, or for phased delivery at the sub-clin level, as designated by item number followed by two alphas, i.e. 0001AA. The variation (if any) shall be shipped with the quantity for the line item, or for phased delivery the quantity specified for each sub-clin. Under no quantity specification and the contractor ship a variation in quantity against any line item/sub-clin other than as specified in the delivery schedule.

11-19-9G DSCR NOTE TO CLAUSE 52.211-16 VARIATION IN QUANTITY (APR 1984)

DSCR NOTE: Any quantity shipped against the line/sub-clin that exceeds the stated line item/sub-clin quantity plus variation (if any) will be returned and the contractor will be responsible for return shipment costs.

F11F42 52.211-9G52 TIME OF DELIVERY ALT I (APR 2004) DSCR

F46F01 46-6A-9G PAYMENT OFFICE DD FORM 250 DISTRIBUTION (AUG 1997) DSCR

F47A03 52.247-34 F.O.B. DESTINATION (NOV 1991) FAR

F47A06 52.247-48 F.O.B DESTINATION -- EVIDENCE OF SHIPMENT (FEB 1999) FAR

52.247-9G09 F.O.B. DESTINATION - CONTRACTOR TRANSSHIPMENT (MAR 1998)

F47F38 52.247-9G11 MANUFACTURER'S LOADING PRACTICES (JAN 1996) DSCR

SECTION I

I04B03 252.204-7003 PRODUCT (APP 1000) CONTROL OF GOVERNMENT PERSONNEL WORK DFARS

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I08F30 52.208-9G01 NOTIFICATION TO GOVERNMENT OF CONTEMPLATED PRODUCTION PHASEOUT (DEC 1997) DSCR

I11A01 52.211-5 MATERIAL REQUIREMENTS (AUG 2000) FAR

I11A02 52.211-15 DEFENSE PRIORITY AND ALLOCATION REQUIREMENT (SEP 1990) FAR

I15A05 52.215-8 ORDER OF PRECEDENCE -- UNIFORM CONTRACT FORMAT (OCT 1997) FAR

122A03 52.222-3 CONVICT LABOR (JUN 2003) FAR

I22A15 52.222-19 CHILD LABOR-COOPERATION WITH AUTHORITIES AND REMEDIES (JUN 2004) FAR

I23B03 252.223-7004 DRUG-FREE WORK FORCE (SEP 1988) DFARS

I25A04 52.225-13 RESTRICTIONS ON CERTAIN FOREIGN PURCHASES (JUN 2003) DEVIATION FAR

I25B01 252.225-7001 BUY AMERICAN ACT AND BALANCE OF PAYMENTS PROGRAM (APR 2003) DFARS

I25B02 252.225-7002 QUALIFYING COUTRY SOURCES AS SUBCONTRACTORS (APR 2003) DFARS

I25B06 252.225-7013 DUTY-FREE ENTRY (JAN 2004) DFARS

I29C01 52.229-9000 KENTUCKY SALES AND USE TAX EXEMPTION (DEC 1984) DLAD

Contracts awarded under this solicitation are exempt from the Kentucky Sales and Use Tax per Kentucky tax exemption N/A ______. No amounts for this tax should be

included in bids/offers.

I32A01 52.232-1 PAYMENTS (APR 1984) FAR

I32A06 52.232-8 DISCOUNTS FOR PROMPT PAYMENT (FEB 2002) FAR

132A22 52.232-25 PROMPT PAYMENT (OCT 2003) FAR

I32A28 52.232-33 PAYMENT BY ELECTRONIC FUNDS
TRANSFER--CENTRAL CONTRACTOR REGISTRATION (OCT 2003) FAR

I32F28 32-6A-9G DSCR NOTE TO CLAUSE 52.232-33 PAYMENT BY ELECTRONIC FUNDS TRANSFER-CENTRAL CONTRACTOR REGISTRATION (MAY 1999)

DSCR NOTE: Unless otherwise stated in the remarks section of this contract/order, the payment information contained in the CCR has precedence over any other payment information that may be contained in the Remittance Address field of this contract/order.

DSCR (MAR 2000)

I33A01 52.233-1 DISPUTES (JUL 2002) FAR

I33A03 52.233-3 PROTEST AFTER AWARD (AUG 1996) FAR

I33F01 33-1A-9G DSCR NOTE TO 52.233-1 DISPUTES (JUL 2002) DSCR

DSCR NOTE:

DSCR has in place a process to mediate two types of contract disputes: (1) contract claims filed pursuant to the Contract Disputes Act of 1978, as amended, 41 U.S.C. 601-613, (CDA), prior to issuance of a final decision by the contracting officer, that arise as a result of either a contractor or government claim, except for proposed Terminations for Default, and (2) other contract disputes, resulting from an issue in controversy, that the contracting officer determines suitable for mediation. Mediation involves a neutral, called a mediator, who assists both parties as they try to resolve their dispute voluntarily and produce a solution that is acceptable and beneficial to both. After unassisted negotiations over an issue in controversy have proven

ineffective in either situation, the contracting officer will contact the contractor seeking to resolve the dispute through mediation. In either situation, a contractor's decision not to engage in mediation shall be conveyed in writing to the contracting officer.

Mediation undertaken pursuant to this process does not waive the statutory time limitations of the CDA, within which a contracting officer must issue a final decision on a claim filed pursuant to the CDA, as expressed in FAR Clause 52.233-1, Disputes, paragraph (e). If mediation is unsuccessful, the parties retain their existing rights under the CDA. (99140)

I44A05 52.244-6 SUBCONTRACTS FOR COMMERCIAL ITEMS (JUL 2004) FAR

I44B01 252.244-7000 SUBCONTRACTS FOR COMMERCIAL ITEMS AND COMMERCIAL COMPONENTS (DOD CONTRACTS) (MAR 2000) DEADS

I46F30 52.246-9G01 WARRANTY OF SUPPLIES OF A NONCOMPLEX NATURE (MAY 2001) DSCR

I46F32 52.246-9G05 WARRANTY PPP&M (APR 2000) DSCR

I46F36 52.246-9G33 MISDIRECTED SHIPMENTS (JAN 1996) DSCR

I46F37 52.246-9G36 CONFIGURATION CONTROL (JUN 2003) DSCR

NOTICE TO CONTRACTORS: The requirements of this clause are identified to MIL-STD-973. DSCR will continue to reference MIL-STD-973 in solicitations and contracts until implementation of DLA configuration control requirements. The full text of MIL-STD-973 is available at:

http://www.dscr.dla.mil/qap/qaps.htm

- (a) When configuration management control is cited in the Procurement Item Description, the furnished item(s) shall conform to the approved configuration requirements/ revision specified unless a variation is processed and approved as provided for at (b) below.
- (b) Variations shall be identified and approval obtained in accordance with MIL-STD-973 dated 17 APR 92, with Interim Notice 3 dated 12 JAN 95 as follows:
- (1) Process an Engineering Change Proposal for any changes to the approved configuration in accordance with Paragraph 5.4.2 and Subparagraphs thereto and APPENDIX D, except that Subparagraphs 5.4.2.3.1, 5.4.2.3.5.1, and 5.4.2.3.5.2 do not apply.
- (2) Process requests for deviation from the approved configuration in accordance with Paragraph 5.4.3 and Subparagraphs thereto and APPENDIX E.
- (3) Process requests for waiver from the approved configuration in accordance with Paragraph 5.4.4 and Subparagraphs thereto and APPENDIX E.
- $\mbox{(4)}$ Process requests for parts substitution from the approved configuration in accordance with Paragraph 5.4.5 and Subparagraphs thereto.
- (5) Process Specification Change Notices in accordance with Paragraph 5.4.6 and Subparagraphs thereto and APPENDIX F.
- (6) Process Notices of Revision (NORS) in accordance with Paragraph 5.4.7 and APPENDIX ${\tt G.}$
- $\ensuremath{(7)}$ Process configuration control (short form procedure) in accordance with Paragraph 5.4.8 and Subparagraphs thereto and APPENDIX D.

I47B02 252.247-7023 TRANSPORTATION OF SUPPLIES BY SEA (MAY 2002) DFARS

I47B05 252.247-7023 TRANSPORTATION OF SUPPLIES BY SEA (MAR 2000) ALT III (MAR 2000) DFARS

CONTINUATION SHEET

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OF

I52A01 52.252-2 CLAUSES INCORPORATED BY REFERENCE (FEB 1998) FAR

This contract incorporates one or more clauses by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. Also, the full text of a clause may be accessed electronically at this/these address(es):

http://www.dla.mil/j-3/j-336/icps.htm

I52A02 52.252-6 AUTHORIZED DEVIATIONS IN CLAUSES (APR 1984) FAR

(a) The use in this solicitation or contract of any Federal Acquisition Regulation (48 CFR Chapterl) clause with an authorize deviation is indicated by the addition of '(DEVIAITON)' after the date of the clause.

(b) The use in this solicitation or contract of any DoD FAR Supplement (DFARS) (48 CFR Chapter 2) clause with an authorized deviation is indicated by the addition of '(DEVIATION)' after the name of the regulation.

I53A01 52.253-1 COMPUTER GENERATED FORMS (JAN 1991)

FAR